



National Aeronautics and
Space Administration

Principal Center for Regulatory Risk Analysis and Communication

Regulatory Tracking Summary

16 July 2010

This report summarizes regulatory items reviewed by the NASA RRAC PC. Items that appeared to have limited interest to the NASA community, or are provided for information only, are shown in light gray text. Notes and comments by the RRAC PC are shown in bold, blue text under "Description." Related documents and citations, such as "71 FR 51967," are linked to the appropriate document for quick access. Suggested follow-up actions are noted with significant items; users are advised that other follow-up actions may be appropriate for their program or facility. Previous issues of this regulatory summary are archived on the RRAC PC website at <http://www.nasa.gov/offices/rrac/home/>. Comments, questions, suggestions, and requests for further information should be directed to the RRAC PC Manager, Sharon Scroggins at 256-544-7932 (sharon.scroggins@nasa.gov).

Contents of This Issue

1.0	U.S. Federal Regulatory Review	4
1.1	Federal Register Summary	4
1.2	Other News and Developments	9
1.2.1	<i>EPA Launches a Collaborative Website for Integrated Environmental Modeling</i>	9
1.2.2	<i>EPA Agrees to Evaluate Residual Risk of 28 Industrial Source Categories</i>	10
1.2.3	<i>EPA Rule Increases Protection from Lead Paint Poisoning</i>	10
1.2.4	<i>Western Climate Initiative – Updated Economic Analysis</i>	10
1.2.5	<i>EPA Issues Call for Information to Include Biogenic Sources in GHG Tailoring Rule</i>	11
1.3	Regulatory Communication Working Group Updates	11
2.0	State Regulatory Reviews	12
2.1	Alabama State Regulatory Review	12
2.2	California State Regulatory Review	12
2.3	Colorado State Regulatory Review	13
2.4	Florida State Regulatory Review	14
2.5	Louisiana State Regulatory Review	15
2.6	Maryland State Regulatory Review	16
2.7	Mississippi State Regulatory Review	16
2.8	New Mexico State Regulatory Review	16
2.9	Ohio State Regulatory Review	17
2.9.1	<i>Small Source Best Available Technology Exemption Memorandum Revised</i>	17
2.9.2	<i>Updated Hazardous Waste Tank Advisory Available</i>	17
2.10	Texas State Regulatory Review	18
2.11	Utah State Regulatory Review	18
2.12	Virginia State Regulatory Review	18

Acronyms

BACT = Best available control technology	NMAC = New Mexico Administrative Code
BAT = Best available technology	NNI = National Nanotechnology Initiative
CAA = Clean Air Act	NO _x = Nitrogen oxide
CCR = <i>California Code of Regulations</i> ; also <i>Colorado Code of Regulations</i>	NPDES = National Pollutant Discharge Elimination System
CEQ = Council on Environmental Quality	NSPS = New Source Performance Standards
CFR = <i>Code of Federal Regulations</i>	OAC = Ohio Administrative Code
CGA = Compressed Gas Association	OEHA = Office of Environmental Health Hazard Assessment
CIC = Carcinogen Identification Committee	OEPA = Ohio Environmental Protection Agency
CO ₂ = Carbon dioxide	PHG = Public health goal
COMAR = Code of Maryland Regulations	PM = Particulate matter
CRNR = <i>California Regulatory Notice Register</i>	PM10 = Particulate matter with an aerodynamic equivalent diameter of 10 microns or less
DAPC = Division of Air Pollution Control	PSD = Prevention of significant deterioration
EPA = U.S. Environmental Protection Agency	RIN = Regulatory Identification Number
EPCRA = Emergency Planning and Community Right-to-Know Act	RRAC PC = Principal Center for Regulatory Risk Analysis and Communication
F.A.C. = Florida Administrative Code	SCAQMD = South Coast Air Quality Management District
FAW = <i>Florida Administrative Weekly</i>	SIP = State Implementation Plan
FDEP = Florida Department of Environmental Protection	SMAQMD = Sacramento Metropolitan Air Quality Management District
FR = <i>Federal Register</i>	SO ₂ = Sulfur dioxide
FY = Fiscal year	TAC = Texas Administrative Code
GHG = Greenhouse gas	TexReg = <i>Texas Register</i>
HAP = Hazardous air pollutant	tpy = Tons per year
HW = Hazardous waste	U.S. = United States
ICAPCD = Imperial County Air Pollution Control District	U.S.C. = United States Code
iemHUB = Integrated Environmental Modeling Hub	VDEQ = Virginia Department of Environmental Quality
IPCC = Intergovernmental Panel on Climate Change	VAC = Virginia Administrative Code
KSC = Kennedy Space Center	Va.R. = <i>Virginia Register</i>
LAC = Louisiana Administrative Code	VOC = Volatile organic compound
MADL = Maximum allowable dose level	WCI = Western Climate Initiative
NAAQS = National Ambient Air Quality Standards	WSTF = White Sands Test Facility
NASA = National Aeronautics and Space Administration	
NESHAP = National Emission Standards for Hazardous Air Pollutants	
NFPA = National Fire Protection Association	

1.0 U.S. Federal Regulatory Review

1.1 Federal Register Summary

This summary includes FR items that were reviewed for potential impacts to NASA Centers and Programs.

RRAC PC Tracking Number	Subject	Date	Citation	Type Action	Description	Suggested Actions
FED07162010-1	Air GHGs–Biogenic Sources	07/15/2010	75 FR 41173	Notice	<p>U.S. Environmental Protection Agency</p> <p>Call for Information: Information on Greenhouse Gas Emissions Associated With Bioenergy and Other Biogenic Sources</p> <p>Solicits information and viewpoints about approaches to accounting for GHG emissions from bioenergy and other biogenic sources. Includes sources such as, but not limited to, utilization of forest or agricultural products for energy, wastewater treatment and livestock management facilities, and landfills. Purpose is to request comments on developing an approach for such emissions under the PSD and Title V Programs. Also solicits data about these sources and their emissions, general technical comments on accounting for these emissions, and accounting approaches. Comments due 09/13/2010.</p> <p>Further information is available in Section 1.2.5 of this document.</p>	NASA-related facilities should be aware of this solicitation.
FED07162010-2	Air GHGs–Reporting	07/07/2010	75 FR 39093	Proposed Rule	<p>U.S. Environmental Protection Agency</p> <p>Proposed Confidentiality Determinations for Data Required Under the Mandatory Greenhouse Gas Reporting Rule and Proposed Amendment to Special Rules Governing Certain Information Obtained Under the Clean Air Act [40 CFR Part 2]</p> <p>Proposes to determine the confidentiality status of data required to be reported under the Mandatory Greenhouse Gas Reporting Rule. Describes data categories developed for the Mandatory Greenhouse Gas Reporting Rule data elements and proposed confidentiality determination for each category; includes proposed amendment to special rules governing certain information obtained under the CAA. Would authorize EPA to release or withhold as confidential reporting elements in the rule without taking certain additional procedural steps currently required. Solicits comments about several key issues related to the proposed confidentiality determinations and amendment. Comments due 09/07/2010. [RIN 2060-AQ04]</p>	

RRAC PC Tracking Number	Subject	Date	Citation	Type Action	Description	Suggested Actions
FED07162010-3	Air GHGs-Reporting	07/12/2010	75 FR 39735	Final Rule	<p>U.S. Environmental Protection Agency</p> <p>Mandatory Reporting of Greenhouse Gases From Magnesium Production, Underground Coal Mines, Industrial Wastewater Treatment, and Industrial Waste Landfills; Final Rule [40 CFR Part 98]</p> <p>Adds the following source categories to the list of source categories required to monitor and report GHG emissions:</p> <ul style="list-style-type: none"> ▪ Magnesium production ▪ Underground coal mines ▪ Industrial wastewater treatment ▪ Industrial waste landfills <p>Requires monitoring and reporting of GHGs for sources with carbon dioxide equivalent emissions above certain threshold levels. Does not require control of GHGs. Effective 09/10/2010. [RIN 2060-AQ03]</p>	NASA-related facilities should be aware of the revised reporting provisions.
FED07162010-4	Air GHGs-Reporting	07/16/2010	75 FR 41452	Notice	<p>Council on Environmental Quality</p> <p>Draft Guidance, "Federal Greenhouse Gas Accounting and Reporting"</p> <p>Notice of availability of draft guidance for federal GHG accounting and reporting to comply with Executive Order 13514, <i>Federal Leadership in Environmental, Energy, and Economic Performance</i> (74 FR 52115, 10/08/2009). Comments due 08/16/2010.</p> <p>The CEQ website sets a comment deadline of 09/01/2010.</p>	NASA Centers should be aware of this draft guidance.
FED07162010-5	Air Heavy-duty Engines	07/08/2010	75 FR 39251	Notice	<p>U.S. Environmental Protection Agency</p> <p>Control of Air Pollution From New Motor Vehicles: Announcement of Public Workshop for Heavy-Duty Diesel Engines Employing Selective Catalyst Reduction Technology</p> <p>Announces public workshop to discuss the operation of heavy-duty engines equipped with selective catalyst reduction. EPA will be reviewing its policies regarding the operation of selective catalyst reduction equipped heavy-duty diesel engines without diesel exhaust fluid, with improper diesel exhaust fluid, or when tampering (or some other defect) is detected. Workshop to be held 07/20/2010 in El Monte, California.</p>	

RRAC PC Tracking Number	Subject	Date	Citation	Type Action	Description	Suggested Actions
FED07162010-6	Air NAAQS-Lead	07/08/2010	75 FR 39254	Notice	<p>U.S. Environmental Protection Agency</p> <p>EPA Responses to State and Tribal 2008 Lead Designation Recommendations: Notice of Availability and Public Comment Period</p> <p>Notice that EPA has posted responses to state and tribal designation recommendations for the 2008 Lead NAAQS. EPA plans to make final designation determinations by 10/15/2010. Comments due 08/16/2010.</p> <p>Further information is available on EPA's website. Includes responses regarding proposed nonattainment status for the South Coast Air Basin portion of Los Angeles County, California, and portions of Cuyahoga County, Ohio. A second round of designations is planned to take place by 10/15/2011.</p>	NASA Centers in affected areas should be aware of these changes.
FED07162010-7	Air NAAQS-PM	07/08/2010	75 FR 39252	Notice	<p>U.S. Environmental Protection Agency</p> <p>Release of Final Documents Related to the Review of the National Ambient Air Quality Standards for Particulate Matter</p> <p>Announces the availability of two final documents titled, Quantitative Health Risk Assessment for Particulate Matter and Particulate Matter Urban-Focused Visibility Assessment. Documents describe the quantitative analyses that have been conducted as part of the review of the NAAQS for PM.</p>	
FED07162010-8	Air NAAQS-PM	07/08/2010	75 FR 39253	Notice	<p>U.S. Environmental Protection Agency</p> <p>Release of Second Draft Document Related to the Review of the National Ambient Air Quality Standards for Particulate Matter</p> <p>Notice of availability of a draft document for public comment: Policy Assessment for the Review of the Particulate Matter National Ambient Air Quality Standards--Second External Review Draft. Document is intended to "bridge the gap" between the scientific information and the judgments required in determining whether it is appropriate to retain or revise the NAAQS for PM. Comments due 08/16/2010.</p>	

RRAC PC Tracking Number	Subject	Date	Citation	Type Action	Description	Suggested Actions															
FED07162010-9	Air NESHAPs– Residual Risk	07/14/2010	75 FR 40827	Notice	<div>U.S. Environmental Protection Agency Proposed Consent Decree, Clean Air Act Citizen Suit</div> <div>Notice of a proposed consent decree to address a lawsuit alleging that EPA failed to meet its obligations to take actions relative to the review and revision of the NESHAPs with respect to 28 source categories. Proposed consent decree would establish deadlines for EPA's proposed and final actions for meeting these obligations. Examples of proposed source categories and deadlines include:</div> <table><thead><tr><th>40 CFR Part 63 Subpart</th><th>Proposed Action</th><th>Final Action</th></tr></thead><tbody><tr><td>GG– Aerospace Industry</td><td>08/31/2011</td><td>06/29/2012</td></tr><tr><td>OOO– Amino/ Phenolic Resin Manufacture</td><td>10/31/2012</td><td>10/31/2013</td></tr><tr><td>N–Chrome Plating & Anodizing</td><td>09/14/2010</td><td>06/30/2011</td></tr><tr><td>GGG– Pharma- ceuticals Production</td><td>09/14/2010</td><td>03/21/2011</td></tr></tbody></table> <div>Comments due 08/13/2010.</div> <div>Further information is available in Section 1.2.2 of this document. Many of these source category rules contain requirements only for facilities that are major sources of HAPs. A major source of HAP is any stationary source that emits or has the potential to emit 10 tpy of any single HAP or 25 tpy of any combination of HAPs [42 U.S.C. 7412(a)(1)].</div>	40 CFR Part 63 Subpart	Proposed Action	Final Action	GG– Aerospace Industry	08/31/2011	06/29/2012	OOO– Amino/ Phenolic Resin Manufacture	10/31/2012	10/31/2013	N–Chrome Plating & Anodizing	09/14/2010	06/30/2011	GGG– Pharma- ceuticals Production	09/14/2010	03/21/2011	NASA Centers and Programs should be aware of this action.
40 CFR Part 63 Subpart	Proposed Action	Final Action																			
GG– Aerospace Industry	08/31/2011	06/29/2012																			
OOO– Amino/ Phenolic Resin Manufacture	10/31/2012	10/31/2013																			
N–Chrome Plating & Anodizing	09/14/2010	06/30/2011																			
GGG– Pharma- ceuticals Production	09/14/2010	03/21/2011																			
FED07162010-10	Emergency Planning Guidance	07/13/2010	75 FR 39852	Notice	<div>U.S. Environmental Protection Agency Emergency Planning and Community Right-to-Know Act; Guidance on Reporting Options for Sections 311 and 312 and Interpretations</div> <div>Provides guidance on various reporting options that states and local agencies may choose in implementing EPCRA Sections 311 and 312. Also provides new interpretations and revises certain existing ones to help facilities comply with EPCRA. Interpretations pertain to timing of emergency release reporting and hazardous chemical exemptions. Effective 07/13/2010.</div>																

RRAC PC Tracking Number	Subject	Date	Citation	Type Action	Description	Suggested Actions
FED07162010-11	Nanotechnology Strategic Plan	07/06/2010	75 FR 38850	Notice	Office of Science and Technology Policy National Nanotechnology Initiative Strategic Plan 2010; Request for Information Requests specific input for the next National Nanotechnology Initiative Strategic Plan to be published in December 2010. Refers to the NNI Goals identified from the 2007 Strategic Plan as a starting point for questions covering themes such as research priorities, investment, coordination, partnerships, evaluation, and policy. Responses due 08/15/2010.	
FED07162010-12	Nuclear	07/14/2010	75 FR 40756	Notice	Nuclear Regulatory Commission Implementation Guidance for Physical Protection of Byproduct Material; Category 1 and Category 2 Quantities of Radioactive Material [10 CFR Part 37] Announces availability of draft implementation guidance document, "Implementation Guidance for 10 CFR Part 37 Physical Protection of Byproduct Material, Category 1 and Category 2 Quantities of Radioactive Material." Document addresses implementation of proposed regulations to establish security requirements for the use and transport of Category 1 and Category 2 quantities of radioactive material. Comments due 11/12/2010. [RIN 3150-AI12]	
FED07162010-13	Policy	07/06/2010	75 FR 38810	Notice	National Advisory Council for Environmental Policy and Technology Notice of a public teleconference of the National Advisory Council for Environmental Policy and Technology. Council will be discussing comments it is developing on the draft EPA FY 2011-2015 Strategic Plan. Also will be discussing the work plans it is developing to respond to EPA's request for advice on workforce issues the Agency is facing and how EPA can best address the needs of vulnerable populations. Teleconference to be held 07/22/2010.	
FED07162010-14	Water Drinking Water Strategy	07/13/2010	75 FR 39935	Notice	U.S. Environmental Protection Agency Drinking Water Strategy Contaminants as Group(s)—Notice of Web Dialogue Announces a web dialogue on the Drinking Water Strategy, a new vision intended to better protect public health by going beyond the traditional framework for drinking water standards. Discussion topics for this web dialogue are focused on the first of the four principles in the strategy, addressing some contaminants as group(s) rather than as single contaminants. Web dialogue will be open on 07/28/2010 and 07/29/2010.	NASA-related facilities with interest in drinking water standards should be aware of this strategy.

RRAC PC Tracking Number	Subject	Date	Citation	Type Action	Description	Suggested Actions
FED07162010-15	Water Drinking Water– Total Coliform	07/14/2010	75 FR 40925	Proposed Rule	U.S. Environmental Protection Agency National Primary Drinking Water Regulations: Revisions to the Total Coliform Rule [40 CFR Parts 141 and 142] Proposes revisions to require systems that have an indication of coliform contamination in the distribution system to assess the problem and take corrective action that may reduce cases of illnesses and deaths due to potential fecal contamination and waterborne pathogen exposure. Also proposes to update provisions that reference analytical methods and other requirements. Comments due 09/13/2010. [RIN 2040-AD94]	NASA-related facilities with interest in drinking water standards should be aware of this action.
FED07162010-16	Water Marine Sanitation Devices	07/12/2010	75 FR 39683	Notice	U.S. Environmental Protection Agency Clean Water Act Section 312(b): Notice Seeking Stakeholder Input on Petition and Other Request To Revise the Performance Standards for Marine Sanitation Devices Notice that EPA has received a petition for rulemaking and a separate request to revise regulations establishing performance standards for vessel sewage treatment devices. Petition also requests that EPA establish monitoring, record-keeping, and reporting requirements. Seeks input regarding the following: <ul style="list-style-type: none"> ▪ The universe of vessels operating on navigable waters that use sewage treatment devices ▪ Technical information about the performance, effectiveness, and costs of vessel sewage treatment devices, including performance testing data ▪ Suggestions on what, if any, changes to the performance standards might be appropriate ▪ Information about monitoring, record-keeping, and reporting approaches for vessel sewage discharges Comments due 11/09/2010.	

1.2 Other News and Developments

1.2.1 EPA Launches a Collaborative Website for Integrated Environmental Modeling

EPA is launching the Integrated Environmental Modeling Hub (iemHUB), a new online tool for scientific collaboration and knowledge sharing. The tool is intended to allow environmental researchers to analyze environmental problems, to combine environmental models, and to use integrated modeling assessments.

The iemHUB may prove helpful for those involved in the development, evaluation, and application of environmental models. The iemHUB is intended to aid the scientific community in gaining a better understanding of the complex nature of environmental problems and to advance the ability to predict the impacts of our actions on the environment. The development of integrated models in iemHUB also will inform the decision-making process.

More information can be found at iemHUB's [website](#).

1.2.2 EPA Agrees to Evaluate Residual Risk of 28 Industrial Source Categories

EPA has agreed to evaluate the residual risk posed by HAPs emitted by 28 industrial source categories, according to a proposed consent decree ([75 FR 40827](#), 14 July 2010). EPA was sued in January 2009; the suit alleged that the agency failed to perform its statutory duty under the CAA to review the NESHAPs for 28 categories of industrial operations to assess whether their emissions still posed a residual public health risk. "Residual risk" is the risk to public health that remains after companies put in place controls required under the emissions standards.

Section 112 of the CAA requires EPA to review emissions limits for various industrial source categories every 8 years, taking into account newly available technology. The agency must either promulgate additional standards to protect public health against any residual risk or make an official determination that no further controls are necessary.

The consent decree would require EPA to issue new standards for the listed source categories by 31 October 2013, or to make determinations that no new standards are necessary. The first set of six residual risk evaluations would be set for proposal by 14 September 2010.

Aerospace manufacturing and rework facilities, chromium plating and anodizing, amino and phenolic resin manufacture, pharmaceuticals production, and polymers and resins are among the source categories listed for review in the proposed consent decree. Comments regarding the proposed consent decree are due by 13 August 2010.

1.2.3 EPA Rule Increases Protection from Lead Paint Poisoning

A new EPA rule concerning lead-safe work practices became effective 6 July 2010. The Renovation, Repair, and Painting rule requires certification of training providers and lead-safe work practice certification for individuals involved in the construction and remodeling industry. Because of concern that contractors in some areas may be having difficulty accessing training classes, EPA recently announced that it is providing renovation firms and workers additional time to obtain training and certifications to comply with the new lead rules.

More information regarding the new lead rule can be found on the EPA [website](#).

1.2.4 Western Climate Initiative–Updated Economic Analysis

On 6 July 2010, the WCI released a report, [Updated Economic Analysis of the WCI Regional Cap-and-Trade Program](#), that updates a 2008 analysis by incorporating new data. Additions include three Canadian provincial governments, 2008-2009 economic recession data, and various economic model improvements identified after consultation with stakeholders. The updated report concludes that planned energy efficiency policies and clean car standards, along with a regional cap-and-trade program, have the potential to significantly reduce GHG emissions and contain costs.

The updated analysis modeled several economic scenarios using varying assumptions about future economic growth, fuel prices, and other factors. In each instance, the analysis indicated that the WCI program probably would support robust economic growth and

deliver net cost savings, even when the assumptions resulted in different carbon allowance prices. The report also states that carbon allowance banking and offsets are needed to achieve emissions reduction goals and to contain costs. Most of the estimated \$102 billion in savings are projected to result from increased energy efficiency and reduced fuel consumption. Some of the WCI Partner jurisdictions may use the results of this economic analysis as the foundation for state- or province-specific analyses.

More information can be found on the WCI [website](#).

1.2.5 EPA Issues Call for Information to Include Biogenic Sources in GHG Tailoring Rule

On 15 July 2010, EPA issued a call for information ([75 FR 41173](#)) to solicit feedback regarding approaches to accounting for GHG emissions from bioenergy and other biogenic sources under the PSD and Title V Programs. When EPA initially finalized the GHG Tailoring Rule, it did not take action on a request from commenters to exclude CO₂ emissions from biogenic fuels because it did not have sufficient information to address the issue of the carbon neutrality of biogenic energy. EPA is requesting assistance with the following:

- Surveying and assessing the science by submitting research studies or other relevant information.
- Evaluating different accounting approaches and options by providing policy analyses, proposed or published methodologies, or other relevant information.

Data or other relevant information also may be submitted about the current and projected scope of GHG emissions from bioenergy and other biogenic sources.

In addition, EPA is soliciting information and views about topics and questions including, but not limited to, the following:

- Biomass under PSD and BACT
- National-scale carbon neutrality in the IPCC Guidelines
- Smaller-scale accounting approaches
- Alternative accounting approaches
- Comparison with fossil energy
- Comparison among bioenergy sources
- Renewable or sustainable feedstocks
- Other biogenic sources of CO₂
- Additional technical information

Information and comments are due to EPA by 13 September 2010.

1.3 Regulatory Communication Working Group Updates

Regulatory Communication Working Group calls in 2010 will be held on the following Wednesdays at 12 p.m. CT:

- | | |
|---------------|----------------|
| • 21 July | • 22 September |
| • 11 August | • 24 November |
| • 1 September | • 15 December |

2.0 State Regulatory Reviews

The following sections provide details about the regulatory actions reviewed for selected states in which NASA facilities and related operations are located.

2.1 Alabama State Regulatory Review

No regulatory items of interest were identified during this reporting period for the state of Alabama.

2.2 California State Regulatory Review

This summary includes items that were reviewed for potential impacts to NASA Centers and Programs in California. Citations of the [CRNR](#) are linked to the appropriate volume of the Register, which is published in Adobe Acrobat (pdf) file format.

Tracking Number	Subject	Date Published	Ref. Page	Type Action	Description	Suggested Actions
CA07162010-1	Air SIP	07/08/2010	75 FR 39365	Final Rule	U.S. Environmental Protection Agency Revisions to the California State Implementation Plan, Imperial County Air Pollution Control District [40 CFR 52] Finalizes a limited approval and limited disapproval of revisions to the ICAPCD portion of the California SIP concerning local rules that regulate coarse particulate matter (PM10) emissions from sources of fugitive dust such as construction sites, unpaved roads, and disturbed soils in open and agricultural areas in Imperial County. Effective 08/09/2010.	
CA07162010-2	Air SIP-VOCs	07/14/2010	75 FR 40726	Direct Final Rule	U.S. Environmental Protection Agency Revisions to the California State Implementation Plan, Sacramento Metropolitan Air Quality Management District and South Coast Air Quality Management District [40 CFR 52] Approves revisions to the SMAQMD and SCAQMD portions of the SIP. These revisions concern VOCs from vanishing oils, rust inhibitors, plastic coatings, rubber coatings, glass coatings, and aerospace operations. Effective 09/13/2010.	
CA07162010-3	Occupational Safety Acetylene	07/16/2010	CRNR 2010.29z, p. 1093	Final Rule	Occupational Safety and Health Standards Board Acetylene [8 CCR 4650, 4797, 4823] Updates California's General Industry Safety Orders by incorporating by reference the following industry consensus standards: <ul style="list-style-type: none"> Compressed Gas Association, Inc., CGA G-1-2003, Acetylene, Eleventh Edition NFPA 51A Standard for Acetylene Cylinder Charging Plants, 2001 Edition NFPA 51A Standard for Acetylene Cylinder Charging Plants, 2006 Edition Effective 07/01/2010.	

Tracking Number	Subject	Date Published	Ref. Page	Type Action	Description	Suggested Actions
CA07162010-4	Proposition 65	07/09/2010	CRNR 2010.28z, p. 1057	Public Comment Notice	Office of Environmental Health Hazard Assessment Prioritization: Chemicals Identified for Consultation with the Proposition 65 Carcinogen Identification Committee and Meeting Announcement Announces the public comment period for 27 chemicals being considered for evaluation as potential carcinogens. The list of chemicals includes decabromodiphenyl ether, 2,6-dichloro-p-phenylenediamine, and perfluorooctane sulfonate, among other substances. Further information is posted on OEHA's website . Comments due 08/31/2010.	NASA Programs should consider reviewing the list to identify any potential issues.
CA07162010-5	Proposition 65 Cadmium	07/09/2010	CRNR 2010.28z, p. 1052	Proposed Rule	Office of Environmental Health Hazard Assessment Specific Regulatory Levels: Chemicals Causing Reproductive Toxicity—Maximum Allowable Dose Level: Cadmium [27 CCR 25805] Proposes to add the qualifier "oral" to the already adopted MADL for cadmium. Comments due 08/23/2010. A request for a public hearing must be made by 08/09/2010.	
CA07162010-6	Proposition 65 Methoxychlor and Selenium	07/09/2010	CRNR 2010.28z, p. 1059	Notice	Office of Environmental Health Hazard Assessment PHGs for Methoxychlor and Selenium in Drinking Water Draft PHGs for methoxychlor and selenium are available. Further information is available on OEHA's website . Comments due 08/09/2010.	

2.3 Colorado State Regulatory Review

This summary includes items that were reviewed for potential impacts to NASA related operations in Colorado.

Tracking Number	Subject	Date Published	Ref. Page	Type Action	Description	Suggested Actions
CO07162010-1	Air NSPS	07/10/2010	CO Register Vol. 34, No. 14	Adopted Rule	Air Quality Control Commission, Colorado Department of Public Health and Environment Standards of Performance for New Stationary Sources [5 CCR 1001-8] Incorporates by reference recent changes to the federal New Source Performance Standards and Emission Guidelines in 40 CFR Part 60. Effective 07/30/2010.	

2.4 Florida State Regulatory Review

This summary includes items that were reviewed for potential impacts to NASA Centers and Programs in Florida.

Tracking Number	Subject	Date Published	Ref. Page	Type Action	Description	Suggested Actions
FL07162010-1	Air SIP	07/16/2010	FAW Notice #8867175	Notice Hearing	<p>Florida Department of Environmental Protection</p> <p>Amended Regional Haze Plan for Florida Class I Areas [40 CFR 51]</p> <p>Announces that a public hearing will be held, if requested, to receive comments on FDEP's proposed revisions (03/19/2010) to Florida's SIP regarding its regional haze plan. This hearing tentatively is scheduled for 08/18/2010 at FDEP, Tallahassee, Florida.</p>	
FL07162010-2	Water Drinking Water	07/16/2010	FAW Notice #8837105	Notice of Change	<p>Florida Department of Environmental Protection</p> <p>Drinking Water Standards--Control of Lead and Copper [F.A.C. 62-555.800]</p> <p>Announces changes to the proposed rule (FAW Notice #8222416, 05/14/2010) to strengthen implementation of the Lead and Copper Rule, which requires community water systems and non-transient, non-community water systems to optimize corrosion control treatment. Changes are listed in the FAW Notice.</p>	KSC should be aware of this change for non-transient, non-community water systems.

2.5 Louisiana State Regulatory Review

This summary includes items that were reviewed for potential impacts to NASA Centers and Programs in Louisiana.

Tracking Number	Subject	Date Published	Ref. Page	Type Action	Description	Suggested Actions
LA07162010-1	Administration Incorporation by Reference	07/20/2010	MM014ft	Proposed Rule	<p>Louisiana Department of Environmental Quality</p> <p>Incorporation by Reference—2009 [LAC 33:I. 3931; III.506, 507, 2160, 3003, 5116, 5122, 5311 & 5901; V.3099; IX.2301, 4901 & 4903; XV.1599]</p> <p>Proposes to incorporate by reference into appropriate sections of the LAC the following federal requirements changed since 07/01/2009:</p> <ul style="list-style-type: none"> ▪ Reportable quantity lists of hazardous substances in 40 CFR 117.3 and 302.4 ▪ Administrative reporting exemptions for certain air releases of NOx in 40 CFR 302.6(e) and 355.40(a)(2)(vii) ▪ Capture Efficiency Test Procedures in 40 CFR Part 51, Appendix M ▪ Federal SO2 Model Rule in 40 CFR Part 96 ▪ Standards of Performance for New Stationary Sources in 40 CFR Part 60 ▪ NESHAP in 40 CFR Part 61 ▪ NESHAP for Source Categories in 40 CFR Part 63 ▪ Chemical Accident Prevention and Minimization of Consequences in 40 CFR Part 68 ▪ Part 70 Operating Permits Program in 40 CFR 70.6(a) ▪ Hazardous waste regulations in 40 CFR Part 266, Appendices I-IX and XI-XIII ▪ NPDES regulations in 40 CFR Parts 136, 401, and 405-471 ▪ Radiation regulations in 10 CFR Part 71, Appendix A <p>Also incorporated are subsequent revisions to 40 CFR Parts 60 and 63. A public hearing will be held 08/25/2010 in Baton Rouge, Louisiana. Comments due 08/25/2010.</p>	
LA07162010-2	Air Gasoline Handling	07/20/2010	AQ309	Final Rule	<p>Louisiana Department of Environmental Quality</p> <p>Gasoline Handling [LAC 33:III. 2123]</p> <p>Clarifies the applicability of control requirements for gasoline-handling facilities. Effective 07/20/2010.</p>	
LA07162010-3	Hazardous Waste Tanks	07/20/2010	HW106	Final Rule	<p>Louisiana Department of Environmental Quality</p> <p>HW Tanks: Secondary Containment Requirements and 90-Day Turnover of Hazardous Waste [LAC 33:V.109, 1109, 1901, 1907, 1909, and 4437]</p> <p>Repromulgates rule to correct typographical errors and a citation error. Effective 07/20/2010.</p>	

2.6 Maryland State Regulatory Review

This summary includes items that were reviewed for potential impacts to NASA Centers and Programs in Maryland.

Tracking Number	Subject	Date Published	Ref. Page	Type Action	Description	Suggested Actions
MD07162010-1	Water Stormwater	07/16/2010	37:15 Md.R. 1000	Final Action	Department of Environment Stormwater Management [COMAR 26.17.02] Finalizes the adopted emergency stormwater regulations that formalize provisions for grandfathering and make changes to redevelopment requirements according to the Guidance for Implementation of Local Stormwater Management Programs . Effective 07/26/2010.	

2.7 Mississippi State Regulatory Review

No regulatory items of interest were identified during this reporting period for the state of Mississippi.

2.8 New Mexico State Regulatory Review

This summary includes items that were reviewed for potential impacts to NASA Centers and Programs in New Mexico.

Tracking Number	Subject	Date Published	Ref. Page	Type Action	Description	Suggested Actions
NM07162010-1	Air GHGs	07/15/2010	NM Register Vol. XXI, p. 599	Notice	Environmental Improvement Board Greenhouse Gas Cap and Trade Provisions [20.2.350 NMAC] Announces a hearing to consider a proposal to establish requirements for participation in a GHG cap-and-trade program. A public hearing will be held 09/20/2010 in Santa Fe, New Mexico.	WSTF should be aware of these proposed changes.
NM07162010-2	Water Drinking Water	07/15/2010	NM Register Vol. XXI, p. 599	Notice	Environmental Improvement Board Drinking Water [20.7.10 NMAC] Announces a hearing to consider proposed revisions to the New Mexico Drinking Water Regulations that would incorporate by reference changes to the National Primary Drinking Water Regulations at 40 CFR Part 141. A public hearing will be held 09/20/2010 in Santa Fe, New Mexico.	

2.9 Ohio State Regulatory Review

This summary includes items that were reviewed for potential impacts to NASA Centers and Programs in Ohio.

Tracking Number.	Subject	Date Published	Ref. Page	Type Action	Description	Suggested Actions
OH07162010-1	Air GHGs	07/13/2010	OEPA DAPC News	Proposed Rule	<p>Division of Air Pollution Control, Ohio Environmental Protection Agency</p> <p>Proposed Amendments to Permits to Install New Sources and Permit-to-Install and Operate Program [OAC Chapter 3745-31] and Title V Permits [OAC Chapter 3745-77]</p> <p>Proposes amendments to incorporate requirements of the federal PSD and Title V GHG Tailoring Rule into the OAC. Further details regarding the proposed rule, including the Interested Party Notice, Proposed Rule and Synopsis, are available on the OEPA website. Comments due 08/13/2010.</p>	

2.9.1 Small Source Best Available Technology Exemption Memorandum Revised

The OEPA DAPC has revised the 19 February 2010 memorandum that describes DAPC's approach to determining BAT for sources that qualify for the exemption for sources that emit less than 10 tpy of NAAQS pollutants. The initial memo described changes to the BAT program resulting from the 2 February 2010 [ruling](#) in the U.S. District Court for the Southern District of Ohio in [Sierra Club v. Christopher Korleski, Director of Ohio EPA](#). The ruling stated that the approved Ohio SIP currently does not contain an exemption for new or modified sources emitting less than 10 tpy of NAAQS pollutants. As a result, the new policy indicated that a case-by-case determination of BAT must be completed for such new or modified sources of less than 10 tpy of NAAQS pollutants until the exemption becomes approved as part of the SIP. The initial memo has been revised to allow processing of all permits, including renewals, if the guidance is followed. Minor issues and questions also have been clarified. The [revised memo](#) was issued on 2 July 2010 and is effective immediately.

2.9.2 Updated Hazardous Waste Tank Advisory Available

The Division of Hazardous Waste Management updated its guidance document, [Tank System Requirements Advisory](#), to incorporate minor revisions in the tanks rule, which became effective in 2004. The advisory's principle purpose is to facilitate OEPA reviews of Part B permit applications, which contain proposals for hazardous waste storage and treatment tank systems. The changes affect external concrete liners used as secondary containment for tanks and include the requirement for an impermeable interior coating or lining compatible with the stored waste and placement of chemical-resistant water stops at all joints.

2.10 Texas State Regulatory Review

This summary includes items that were reviewed for potential impacts to NASA Centers and Programs in Texas. Citations of the *Texas Register* are linked within the text to the corresponding entry in the version of the *Texas Register*. Current and historical versions of the *Texas Register* can be downloaded from the [Texas Register section of the Texas Secretary of State website](#).

Tracking Number.	Subject	Date Published	Ref. Page	Type Action	Description	Suggested Actions
TX07162010-1	Air Permits By Rule	07/16/2010	35 TexReg 6268	Proposed Rule	Texas Commission on Environmental Quality Permits By Rule--Subchapter Q. Plastics and Rubber[30 TAC §106.392] Proposes to repeal the Permit by Rule for Thermoset Resin Facilities. A proposed standard permit updates administrative and technical requirements and is intended to replace the permit by rule that currently exists for these facilities. Comments due 08/15/2010. Public hearing to be held 08/09/2010 in Austin, Texas.	

2.11 Utah State Regulatory Review

No regulatory items of interest were identified during this reporting period for the state of Utah.

2.12 Virginia State Regulatory Review

This summary includes items that were reviewed for potential impacts to NASA Centers and Programs in Virginia.

Tracking Number.	Subject	Date Published	Ref. Page	Type Action	Description	Suggested Actions
VA07162010-1	Waste Solid Waste	07/05/2010	26:22 Va.R. 2660	Notice	Solid Waste Management Board 9VAC20-90 . Solid Waste Management Permit Action Fees and Annual Fees Responses to comments on proposed amendments to solid waste fees and revised documentation are available for public review.	
VA07162010-2	Water Permitting	06/21/2010	26:22 Va.R. 2660	Notice	State Water Control Board 9VAC25-20 . Fees for Permits and Certificates Responses to comments on proposed amendments to water permit fees and revised documentation are available for public review.	
VA07162010-3	Water Water Resources	07/14/2010	VDEQ website	Notice	Virginia Department of Environmental Quality VDEQ has issued a statewide drought watch because of precipitation deficits and excessive heat.	